

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

RICHARD THEIS, Derivatively on Behalf of
Nominal Defendant 2U, INC.,

Plaintiff,

v.

CHRISTOPHER J. PAUCEK, CATHERINE A.
GRAHAM, PAUL A. MAEDER, ROBERT M.
STAVIS, GREGORY K. PETERS, TIMOTHY M.
HALEY, VALERIE B. JARRETT, EARL LEWIS,
CORETHA M. RUSHING, SALLIE L.
KRAWCHECK, JOHN M. LARSON, EDWARD S.
MACIAS, and ALEXIS MAYBANK,

Defendants,

and

2U, INC.,

Nominal Defendant.

Case No. 1:20-cv-03360-PAC

**JOINT STATUS REPORT, STIPULATION, AND [PROPOSED] ORDER REGARDING
EXTENSION OF COURT'S ORDER STAYING CASE**

Plaintiff Richard Theis (“Plaintiff”), derivatively on behalf of nominal defendant 2U, Inc. (“2U”), and defendants Christopher J. Paucek, Catherine A. Graham, Paul A. Maeder, Robert M. Stavis, Gregory K. Peters, Timothy M. Haley, Valerie B. Jarrett, Earl Lewis, Coretha M. Rushing, Sallie L. Krawcheck, John M. Larson, Edward S. Macias, and Alexis Maybank (collectively the “Individual Defendants” and, together with 2U and the Plaintiff, the “Parties”) jointly submit this Stipulation to extend the stay of this action until May 23, 2023, and in support thereof state as follows:

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WHEREAS, on January 24, 2023, the Parties notified the Court that they have reached an agreement in principle (Dkt. No. 36);

WHEREAS, on January 27, 2023, the Court granted the Parties' request to extend the stay of the action until March 24, 2023, to allow the Parties to finalize the settlement documents (Dkt. No. 37); and

WHEREAS, the Parties are continuing to work in good faith to finalize the settlement documents and believe the administration of justice is best served by staying the Action until May 23, 2023.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the Parties hereto, through their undersigned counsel, subject to the Court's approval, as follows:

1. The proceedings in this Action, including all deadlines, hearings, and conferences, are temporarily stayed until May 23, 2023.
2. On May 23, 2023, the Parties will inform the Court of their progress with regard to finalizing the settlement documents.
3. By entering into this Stipulation, the Parties do not waive any rights not specifically addressed herein. This Stipulation is without prejudice to the right of any Defendant to raise any argument or defense of any kind concerning any of the claims in this Action. By entering into this Stipulation, each Defendant preserves all objections, arguments, defenses, and challenges of any kind to the claims in this Action.

Date: March 24, 2023

Respectfully submitted,

/s/ J. Christian Word
J. Christian Word, Bar No. 461346
LATHAM & WATKINS LLP

/s/ W. Scott Holleman
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Attorney for Plaintiff

Attorneys for Defendants

IT IS SO ORDERED

DATED: March 30, 2023


HONORABLE PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE